

CP-45 Commission Position on Defined Terms

The purpose of this position statement is to provide definitions of the terms that regularly appear in the regulations promulgated by the Commission through the rule-making process.

Advertise or Advertising: The promotion, solicitation or representation of real estate brokerage services requiring a real estate broker's license. Advertising may include, but is not limited to, business cards, brochures, websites, signage, property flyers, mailings (paper or electronic), social media, letter head, email signatures and contract documents.

Applicant: An individual or entity seeking a license from the Commission to perform the duties enumerated in C.R.S. §12-61-101(2)(A).

Broker: Any individual licensed by the Colorado Real Estate Commission to perform the acts enumerated in C.R.S. §12-61-101(2)(A) regardless if such broker is licensed as an associate broker, independent broker or employing broker.

Brokerage or Brokerage Firm: Any sole proprietor, partnership, limited liability company, corporation or any other authorized entity licensed by the Commission to perform the acts enumerated in C.R.S. §12-61-101(2)(A).

Commission: The Colorado Real Estate Commission, created pursuant to C.R.S. §12-61-105.

Division: The Division of Real Estate.

Licensee: A broker or brokerage firm licensed by the Commission.

Team: Two (2) or more brokers within a brokerage firm that conduct their real estate brokerage business together.

Trademark: Any logo, service mark or other identifying mark used in conjunction with a brokerage firm's legal name or trade name. Trademarks may be registered with the Colorado Secretary of State pursuant to C.R.S. §7-70-102, C.R.S. As an example, the brokerage "A Better Choice Real Estate" uses a logo bearing the initials "ABC". The logo is used to identify the brokerage and the real estate services that it provides, therefore it would be the trademark for the brokerage.

Trade Name: The name under which a brokerage firm does business other than the brokerage firm's legal name. Any trade name used by a brokerage firm must be on file with the Commission and must be filed with the Colorado Secretary of State pursuant to C.R.S. §7-71-101. For example, a brokerage is licensed with the Commission under its legal name of "Colorado Real Estate Group LLC". However, the brokerage is also a franchise of "International Realty" and does business under the trade name "International Realty of Colorado".

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